IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 4th day of June, 2002

Criminal Misc. Bail Application Number 515of 2002

Order on the Bail Application

CRIMINAL SIDE

Idrish son of Ikram Luhar, resident of village Kutba, Police Station Sahapur, District Muzaffarnagar

……..Applicant(s)

Versus

State of Uttaranchal. ……Opposite Party

Arising out of – Case crime no. 23/165 of 2001,
Under Sections 394, 302 of I.P.C.,
P.S. Manglore,
District Hardwar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicants and the learned A.G.A.

The applicant-accused was neither named in the F.I.R. nor he was assigned any role in the statements of the witnesses under section 161 of the Code of Criminal Procedure. Significantly he was arrested after about five months of the occurrence and is alleged to have been identified by the complainant in the Court premises. He has not been put to test identification parade and considering the peculair circumstances of the case, I find it a fit case for bail.

Let the applicant Idrish son of Ikram Luhar, resident of village Kutba, Police Station Sahapur, District Muzaffarnagar be released on bail in case crime no. 23/165 of 2001,under sections 394, 302 of I.P.C.,

Police Station Manglore, District Hardwar on his filing a personal bond and adequate sureties to the satisfaction of ACJM, Roorkee District Hardwar.

(Irshad Hussain, J.)

04.06.2002/B.